

REMARKS

Applicants wish to thank Examiners Woodward and Klinkel for extending the courtesy of meeting with Applicants' representatives on September 5, 2008 ("Interview"). Applicants traverse all grounds of rejection and reserve the right to pursue any canceled claim in the future. However, in order to advance prosecution, entry of the current amendments is respectfully requested.

Upon entering of the current amendments, claims 26 and 44-56 are pending. Claim 26 is amended and new claims 44-56 are added. No new matter is presented and support for the amendments can be found throughout the instant application, e.g., claim 26: paragraphs 0029, 0108, 0122, 0165, 0112, FIGs. 1-3; claims 44, 50: paragraph 0176; claims 45, 51: paragraphs 0174-0176; claims 46, 52, 53: paragraphs 0176, 0186; claims 47, 49, 54: paragraph 0174; claims 48, 55, 56: paragraphs 0174, 0177 (paragraph citations are to the published version of the instant application, US 2008/0103204A1).

I. PRIORITY OF CLAIMS

The Examiner alleges that claims 5 and 10-15 are not entitled to the benefit of the priority application – US Provisional Application No. 60/422,504. In particular, the Examiner asserts that the provisional application does not provide support for lipopolysaccharide-induced nitric oxide synthesis. Applicants respectfully traverse this assertion.

The Examiner's attention is drawn to the following portions of the provisional application for support: page 2, II. 5-12. Therefore, Applicants respectfully request this object be reconsidered and withdrawn.

II. DRAWINGS

The Examiner has objected to drawings (FIGs. 1-8) as allegedly being darkened or blurred. Applicant submit herewith a new version of the drawings. No new matter is presented. This objection should be reconsidered and withdrawn.

III. CLAIM OBJECTIONS

The claim objections are rendered moot upon entry of the current amendments.

IV. 35 USC 112, second paragraph

The Examiner alleges that claims 1, 6, 11-15, 26 and 30-35 are vague and indefinite. This ground of rejection is traversed. However, in view of the current amendment, the rejection is rendered moot.

V. 35 USC 112, first paragraph

The Examiner alleges that claims 26-35 fail to comply with the enablement requirement. This rejection is traversed. However, in order to advance prosecution, and in view of the amendment to claim 26 obviates this ground of rejection. Furthermore, as discussed in the Interview, Applicants submit herewith a copy of a reference showing tranilast efficacy in vivo (Platten et al. Science, 2005; 310:850-854, attached Exhibit A).

VI. 35 USC 102

The Examiner alleges that claims 1-15 are anticipated by Tamai et al. (Am. Heart. J. 1999; 185(5):965-75). This rejection is traversed. However, in order to advance prosecution, the claims are amended thus rendering this rejection moot.

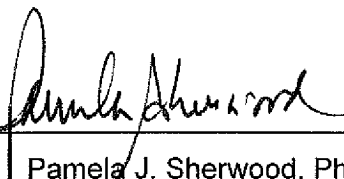
CONCLUSION

Applicants respectfully submit that the pending claims are in condition for allowance. An early notice to that effect is earnestly solicited. Should any matters remain outstanding, the Examiner is encouraged to contact the undersigned at the address and telephone number listed below so that they may be resolved without the need for additional action and response thereto.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number NGIO-001.

Respectfully submitted,
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Date: September 15, 2008

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